

REMARKS

The foregoing amendments add, amend and/or cancel claims in this application. A detailed listing of all claims that are or were in the application, irrespective of whether the claim(s) remain under examination in the application, is presented above with appropriate status identifiers. Upon entry of the amendments, claims 1, 34-36, 39-55 and 95-113 will be pending in the application, and are presented for reconsideration.

The Advisory Action mailed December 24, 2003, indicated that the amendments submitted November 12, 2003, would not be entered because the proposed amendments to claim 32 would broaden the scope of the claims. In a telephone conference, Examiner Rao indicated that the proposed amendments to claim 1 had addressed his substantive concerns regarding that claim (as discussed at an interview on September 16, 2003), and that the subject matter of claim 1 would be allowable if additional clerical amendments were made.

The foregoing makes the amendments to claim 1 (and its dependents) that were set forth in the response filed November 12, 2003, and also makes further amendments to claim 1 as requested by the Examiner, to clarify that the recited pathogen-host cell interaction is between a host cell of a host to whom the claimed composition has been administered. Claim 1 also is revised to cancel the exclusion of the mannanase. Because the mannanase does not cleave a phosphatidylinositol linkage as recited, the express exclusion is unnecessary.

In order to expedite issuance of a patent directed to the subject matter of claim 1, the foregoing cancels claim 32 and dependent claims 56-72 without prejudice or disclaimer. Applicants reserve the right to pursue the subject matter of the canceled claims in one or more applications with the same rights of priority as the instant application.


In addition, the foregoing adds dependent claims 95-97 (corresponding to non-entered claims 73-75), adds dependent claims 109-113 (directed to specific embodiments of the invention, supported, for example, in Tables 7-10, 17, 18 and 20 set forth in the examples section of the specification), cancels withdrawn claims 21-33, cancels claims 37-38, and revises dependent claims 39 and 40 to set forth the subject matter of the elected invention more clearly.

In light of *In re Ochiai*, Applicants request rejoinder of method-of-use claims, previously withdrawn, the language of which comports with revised composition claim 1. In anticipation of the allowance of the composition claims, the foregoing adds method claims 98-108 (corresponding to non-entered claims 76-86).

Applicants believe that the claims set forth above, claims 1, 34-36, 39-55 and 95-113, are in condition for allowance, and an early notice to that effect is respectfully requested. In any event, Examiner Rao is invited to contact the undersigned by telephone in order to advance the prosecution of the application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. If any further extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

By  _____

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